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THE CIA:

A Whiff of Reforms

After months of scrutiny and a flood of revelations about dirty tricks at home and abroad, Congress, the White House and the U.S. intelligence community set out in earnest last week down their disparate roads to reform. Frank Church, chairman of the Senate select committee on intelligence, outlined a proposal for a permanent Congressional oversight panel. Outgoing CIA director William Colby repeatedly worried aloud that the agency's secrets were unprotected and called for a mild version of Britain's Official Secrets Act. President Ford met with Church to talk over joint legislative reforms, fretted

with Colby about leaks and disclosed a change of his own: Henry Kissinger was giving up the chairmanship of the 40 Committee, the panel in charge of authorizing covert operations, to Brent Scowcroft, Ford's new national-security aide.

Church's proposed reform was clearly the most sweeping—and the most controversial. Under a 1974 measure, the intelligence agencies are required to report on their covert operations only "in a timely fashion" and to six "appropriate committees" in the House and Senate. What Church's committee seeks instead—and its House counterpart is also expected to propose—is a Congressional oversight committee, either joint or in each house, that would be told in advance of any planned covert operations. If the committee objected strongly to any operations, moreover, it would have the authority to treat the CIA's topmost secrets as it chose, possibly by publicizing—and thus destroying—a clandestine mission.

Sieve: The problem with that proposal, according to the White House, the CIA and some congressmen, is that a covert operation can be ruined by one well-

placed leak—and Congress is a notorious sieve. Recent revelations of aid to pro-Western factions in Angola and to anti-Communist parties in Italy surfaced in the news after Congress was briefed, Colby pointed out. Some Ford advisers, in fact, are urging that the members and staff of any oversight committee be sworn to secrecy—and that violation of that oath might bring a penalty as severe as expulsion from Congress.

It was painfully obvious, however, that Congress was not the only source of the recent rash of leaks about the CIA, including the identification of the Athens station chief, Richard Welch, which apparently led to his assassination. Last week leftist publications in Paris, London and Madrid printed the names of 56

other suspected CIA employees.* Some cover-blowers have been disaffected ex-agents such as Philip Agee, who named hundreds of CIA employees and contacts in Latin America.

To prevent another Agee caper, Colby favors stiffer penalties for past and present employees who give away Company secrets. Ford's men would also like legislation making it easier to convict an alleged leaker—an almost impossible task, under existing evidence laws.

Congress may be amenable to that idea, but could support strong oversight committees as well. As outlined by Church, the committee would have nine members serving maximum six-year terms that expire at different intervals, thus providing a healthy mix of newcomers and veterans. If the committee objected to a planned operation, said Church, "that alone might persuade the President not to go forward with it." But if stronger action were required, the committee might then expose the plan on a simple majority vote of its members—or on the vote of the full House, meeting in secret session.

Lie: To prevent leaks by disgruntled members, the Church committee was considering disciplinary actions such as censure or even expulsion from Congress, but these would be difficult to enforce. Tracing a leak is a chancy proposition, noted one committee source: "I just can't conceive of a Senate committee putting a fellow senator to a lie-detector test." As for censuring a colleague, said another Senate source, "I think the Senate would recess before it would do that."

Another major imponderable was whether any sort of Congressional oversight committee would be an effective overseer for the long haul. Before Watergate and the wave of intelligence leaks last year, Congress's approach to the intelligence agencies was strictly hands off, and its current muscle flexing may prove to be a fad—but one that Church hopes will enhance his own Presidential prospects. If Congress is bent on serious oversight, however, a modified version of the committee being proposed—with tight controls over the classified documents it receives—may offer a better opportunity for keeping the nation's secrets and protecting its citizens' civil liberties than anything that has existed in the past.